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7     File No. 10-90920

5 Attorneys for Secured Creditor,  
SYSTEMS & SERVICES TECHNOLOGIES, INC.

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF ARIZONA

9 | In re: \_\_\_\_\_ | Chapter 13

10 RICHARD J. ZIMMER AND LINA M. Case No.: 2:10-bk-07210-SSC  
ZIMMER,

Debtor(s).

12 SYSTEMS & SERVICES TECHNOLOGIES,  
13 INC.

14 Movant.

15 | VS.

16 RICHARD J. ZIMMER AND LINA M.  
17 ZIMMER, Debtor; EDWARD J. MANEY,  
Trustee.

18 | Respondents.

**OBJECTIONS TO PROPOSED CHAPTER 13 PLAN**  
**AND CONFIRMATION THEREOF**

21 SYSTEMS & SERVICES TECHNOLOGIES, INC., Secured Creditor in the above-  
22 entitled Bankruptcy proceeding, hereby submits the following Objections to the Confirmation of  
23 that certain Chapter 13 Plan proposed by Debtors:

1        This objecting Secured Creditor is the lien holder on the subject vehicle generally  
2 described as: 2002 Harley Davidson FXSTDI, VIN 1HD1JBB192Y035819.

3        Debtors propose a cram-down of Secured Creditor's Contract in Debtors' Chapter 13  
4 Plan.

5        Debtors propose a fair market value of \$8,140.00 for the subject vehicle.

6        Secured Creditor contends that the fair market value of the subject vehicle, based upon  
7 blue book analysis, is actually \$8,600.00. Attached hereto as Exhibit "A" is a copy of the blue  
8 book analysis and by this reference incorporated herein.

9        Consequently, if Debtors have afforded a cram-down of Secured Creditor's Contract, the  
10 Chapter 13 Plan should reflect a fair market value for the subject vehicle of \$8,600.00.

11        Debtors further propose an interest rate of 4.250% at which the value of Secured  
12 Creditor's collateral would be paid.

13        The contract rate of interest on the subject Note is 9.99%.

14        Given the disparity between the proposed interest rate and the contractual rate, Secured  
15 Creditor contends that the interest rate should be determined to be 9.99%.

16        Secured Creditor further requests the Court award Secured Creditor \$250.00 in attorney's  
17 fees for the necessity of this Objection and that said fees be paid by the Debtor either through the  
18 Plan or directly to Secured Creditor prior to completion of the Plan.

19

20                          **CONCLUSION**

21        Any Chapter 13 Plan proposed by Debtor must provide for and eliminate the Objections  
22 specified above in order to be reasonable and to comply with applicable provisions of the  
23 Bankruptcy Code. It is respectfully requested that confirmation of the Chapter 13 Plan as  
24 proposed by Debtor be denied.

WHEREFORE, Secured Creditor prays as follows:

(1) That confirmation of the proposed Chapter 13 Plan be denied.

(2) For attorney's fees and costs incurred herein.

(3) For such other relief as this Court deems proper.

MILES, BAUER, BERGSTROM & WINTERS, LLP

Dated: April 22, 2010 By: /s/ Jeremy T. Bergstrom, Esq.  
Jeremy T. Bergstrom, Esq.  
Attorney for Secured Creditor

(10-90920/objaznv.dot/sla)

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on April 22, 2010, a copy of

**Secured Creditor's OBJECTIONS TO PROPOSED CHAPTER 13 PLAN AND**

**CONFIRMATION THEREOF** was served by depositing a copy of same in the United States

Mail, in a postage prepaid envelope, addressed to:

**DEBTOR:**

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Richard J. Zimmer

Lina M. Zimmer

PO Box 6046

P.O. Box 6616  
Sun City West, AZ 85376

**ATTORNEY FOR DEBTOR:**

Brian C. Dault

Brian G. Dault  
Dault & Associates PLLC

Baum & Associates PLLC  
908 W. Chandler Blvd Suite D

508 W. Chandler Blvd.  
Chandler, AZ 85225

CHAPTER 13 TRUSTEE·

CHIEF EXECUTIVE  
Edward J. Maney

Edward J. Malone  
P.O. Box 10434

P.O. BOX 10434  
Phoenix, AZ 85064

I declare under penalty of perjury under the laws of the State of Nevada that the

foregoing is true and correct.

/s/ Sara Aslinger

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An Employee of Miles, Bauer, Bergstrom & Winters, LLP

(10-90920/objaznv,dot/sla)

# EXHIBIT A

MODEL	T Y	Pist. E	S T	C Disp.	S Y	D R	Dry L	Rough Sugg.	Clean Trd-In	Avg Trd-In	W/S Wt.	Retail
		CCS	K	L	S	W						

**2002 HARLEY-DAVIDSON (CONT)**

XL883 HUGGER	R	883	4	2	5	489	6335	2425	2705	2880	
XL883C	R	883	4	2	5	489	6975	2555	2650	3225	
XL883R	R	883	4	2	5	503	6695	2485	2745	3010	
VRSC V-ROD	R	1130	4	2	5	508	15985	5595	6235	7975	
XL1200	R	1200	4	2	5	491	8415	2940	3275	3975	
XL1200C	R	1200	4	2	5	491	9575	3070	3420	4400	
XL1200S	R	1200	4	2	5	501	8875	3445	3835	4570	
FLHR ROAD KING	R	1450	4	2	5	723	16450	7400	8245	9375	
FLHRC ROAD KING CLSC	R	1450	4	2	5	710	17545	7525	8385	9785	
FLHRU ROAD KING	R	1450	4	2	5	723	17050	7775	8665	9475	
FLHT ELEC GUIDE	R	1450	4	2	5	758	13955	6700	7465	7945	
FLHTC ELEC GUIDE CLSC	R	1450	4	2	5	776	17030	7940	8850	9380	
FLHTCU ELEC GUIDE CLSC	R	1450	4	2	5	776	17630	8360	9316	10070	
FLSTCI ULCLSC ELC GUIDE	R	1450	4	2	5	788	19995	8605	9599	11435	
FLSTCI HERITAGE SFTLCLSC	R	1450	4	2	5	696	17140	7455	8320	9785	
FLSTCI HERITAGE SFTLCLSC	R	1450	4	2	5	696	17740	7595	8465	9975	
FLSTFI HERITAGE SFTLCLSC	R	1450	4	2	5	666	16380	7620	8490	9338	
FLSTFI FAT BOY	R	1450	4	2	5	666	16950	7755	8540	9940	
FLSTFI FAT BOY	R	1450	4	2	5	666	17880	8450	9420	10285	
FLSTSI HERITAGE SPRINGER	R	1450	4	2	5	717	18480	8955	9860	10905	
FLSTSI HERITAGE SPRINGER	R	1450	4	2	5	717	18480	8955	9860	10905	
FLTR ROADGUIDE	R	1450	4	2	5	731	16400	6550	7410	9180	
FLTRI ROAD GUIDE	R	1450	4	2	5	731	17000	6705	7475	9720	
FXD DYNA SUPER GUIDE	R	1450	4	2	5	612	12185	4685	5225	5880	
FXD DYNA LOW RIDER	R	1450	4	2	5	612	15380	5685	6345	7540	
FXDWG DYNA WIDE GLIDE	R	1450	4	2	5	614	15635	5580	6830	8276	
FXDWG3	R	1450	4	2	5	646	22995	8575	9555	10710	
FXDX DYNA SUPER GLD SPORT	R	1450	4	2	5	620	14135	5810	6475	7210	
FXDXI SUPER GLD SPORT	R	1450	4	2	5	642	15195	6880	6775	7550	
FXSTI SOFTAIL	R	1450	4	2	5	629	12325	5860	6535	7840	
FXSTS SPRINGER SOFTAIL	R	1450	4	2	5	645	16560	6880	7445	8490	
FXSTSI SPRINGER SOFTAIL	R	1450	4	2	5	645	17180	6815	7595	8680	
FLHRSI SCREAMIN' EAGLE	R	1550	4	2	5	741	24995	10790	12330	12885	

- 2001 - - 2001 -

JANUARY THROUGH APRIL 2010  
DEDUCT FOR REPAIRS

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MODEL	T Y	Pist. E	S T	C Disp.	S Y	Dry L	Rough Sugg.	Clean Trd-In	Avg Trd-In	W/S Wt.	Retail
		CCS	K	L	S	W					

MODEL	T Y	Pist. E	S T	C Disp.	S Y	Dry L	Rough Sugg.	Clean Trd-In	Avg Trd-In	W/S Wt.	Retail
		CCS	K	L	S	W					

**2001 HARLEY-DAVIDSON (CONT)**

XL883 HUGGER	R	883	4	2	5	488	8235	2245	2500	2835	
XL883C	R	883	4	2	5	488	8875	2430	2710	3075	
XL1200	R	1200	4	2	5	491	8315	2705	3015	3560	
XL1200C	R	1200	4	2	5	491	9415	2905	3240	4075	
XL1200S	R	1200	4	2	5	501	8775	3270	3645	4250	

FLHR ROAD KING	R	1450	4	2	5	723	16180	6790	7565	8705	
FLHRC ROAD KING CLSC	R	1450	4	2	5	710	17245	6980	7760	9315	
FLHR ROAD KING	R	1450	4	2	5	723	16980	7175	7895	8865	
FLHT ELEC GUIDE	R	1450	4	2	5	758	13595	6220	6933	7420	
FLHTC ELEC GUIDE CLSC	R	1450	4	2	5	776	16750	7255	8085	8745	

FLHT ELEC GUIDE CLSC	R	1450	4	2	5	776	17550	7790	8685	9495	
FLHTCULCLSC ELCGLIDE	R	1450	4	2	5	788	19790	8240	9180	10910	
FLSTC HERITAGE SFTLCLSC	R	1450	4	2	5	698	16820	7300	8135	9560	
FLSTC HERITAGE SFTLCLSC	R	1450	4	2	5	696	17620	7360	8205	9615	
FLSTF FAT BOY	R	1450	4	2	5	688	16080	7335	8175	9300	

FLSTF FAT BOY	R	1450	4	2	5	688	16880	7435	8290	9530	
FLSTS HERITAGE SPRINGER	R	1450	4	2	5	717	17545	7890	8780		
FLSTS HERITAGE SPRINGER	R	1450	4	2	5	717	18345	731	16120	6555	8705
FLTRI ROAD GLIDE	R	1450	4	2	5	731	16920	6570	7320	9180	

FLD DYNA SUPER GLIDE	R	1450	4	2	5	812	11710	4525	5040	5595	
FLD DYNA LOW RIDER	R	1450	4	2	5	614	15180	5280	5860	7210	
FLDWG DYNA WIDE GUIDE	R	1450	4	2	5	612	16280	.5545	6160	7660	
FLDWG2	R	1450	4	2	5	680	21995	5405	9370	9975	
FLDX DYNA SUPER GLD SPORT	R	1450	4	2	5	619	13960	5370	5985	6720	

FLDXT SUPER GLD T-SPORT	R	1450	4	2	5	642	14960	5820	6265	6980	
FXSTI SOFTAIL	R	1450	4	2	5	629	12775	5655	6305	6915	
FXSTB NIGHT TRAIN	R	1450	4	2	5	630	14975	6075	6770	7595	
FXSTB NIGHT TRAIN	R	1450	4	2	5	530	13675	6455	7170	7970	
FXSTD SOFTAIL DEUCE	R	1450	4	2	5	645	16820	7160	7980	8770	

FXSTD SOFTAIL DEUCE	R	1450	4	2	5	645	17620	7335	8175	8925	
FXSTD SOFTAIL	R	1450	4	2	5	629	13575	6090	6785	7235	
FXSTS SPRINGER SOFTAIL	R	1450	4	2	5	653	16275	7250	7920		
FXSTS SPRINGER SOFTAIL	R	1450	4	2	5	653	17075	6760	7535	8320	
FLTSE1 SCREAMIN' EAGLE	R	1550	4	2	5	804	23935	10205	11170	12120	

**2000 -** **2000 -**

XL883	R	883	4	2	5	489	5525	2020	2250	2355	
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JANUARY THROUGH APRIL 2010

ADD FOR OPTIONAL EQUIPMENT

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